# NC Shell

A. Interpretation – aff must defend the implementation of a federal reentry program for prisoners.

B. He/she doesn’t.

C. Standards

First is Textuality. Textuality is a prima facie voter for the neg. It doesn’t matter how fair the aff is; if the case doesn’t affirm the topic, then he hasn’t met the aff burden. Also, textuality link turns other theory standards because it is the basis for claims to predictability and ground. Aff isn’t textual, four reasons:

1. Aff violates the word “Resolved.” “Resolved” requires the aff to enact a law.

**Words and Phrases 64** writes[[1]](#footnote-1)

**Definition of** the word **“resolve,”** given by Webster is “to express an opinion or determination by resolution or vote; as ‘it was resolved by the legislature;” It **is** of **similar** force **to the word “enact,”** which is defined by Bouvier as **meaning “to establish by law”.**

2. Rehab means reentry programs. This definition is key to limits. Here’s a caselist. **Nielson 11** writes[[2]](#footnote-2)

Rehabilitation has been considered a primary goal of the prison system throughout the twentieth century, even though it has not been in vogue for many decades (Harvard Law Review, 2010). The debate about rehabilitation has a long, complex history in the US. Bottom line: "Effective programming requires money, effort, and a recommitment to rehabilitation. But it is not only an investment in safe prisons and jails. It is also an investment in safe and healthy communities" (Gibbons & Katzenbach, 2006). Rehabilitation is a critical to overcome the collateral consequences of being a convict which limit the convicted individuals social, economic, and political opportunities after release (Pinard, 2006). If society wants ex-prisoners to succeed, to be rehabilitated, then it has to provide them tools while they are still incarcerated to prepare for the moment of release to reenter society and reenter their families and communities. Reentry begins inside the prison with programs that provide inmates with the stability necessary to transition back into their communities (Muhlhausen, 2010). **Offender reentry programs would be an excellent way to narrow a debate about rehab**ilitation, but before I get to the sorts of affirmative and negative I think are viable under a prison rehabilitation topic, I would like to discuss the benefits of prison reform as a controversy area to the debate community.

**[…]**

The following discussion is focused around mainstream reentry and **rehab**ilitation **programs** which **could be** increased (**created** or expanded) **by Congress.**

**One clear option** for prison reform **is** the improvement of and increase of **education** and training programs. "Prisoners--who are less likely to have completed high school or obtained a General Equivalency Diploma (GED) than the general population--typically enter prison with an educational disadvantage. In fact, there is a direct correlation between a lack of education and the probability of incarceration" (Colgan, 2006). Leaving prison with that same education deficiency has been linked to recidivism; in contrast, educational programs are linked with lowering recidivism (Colgan, 2006). Basic education, vocational programs, & post-secondary education are all possible affirmatives on a prison reform topic (Nixon et al, 2008). Affirmatives may mandate vocational programs offering particular career training to fill holes in the economy (Colgan, 2006). Affirmatives could reform the fees system used by education programs which would encourage enrollment in education programs. Affirmatives could provide incentives for community colleges to offer programs for prisoners to help with applications, necessary testing, and financial aid.

**Another** affirmative option **is work release**. The unemployment rate for ex-offenders is 33% (Burt, 2010). "There are a number of studies that demonstrate that employment is a fundamental component of the reentry process, and that ex-offenders who are able to find stable employment are much more likely to succeed in their rehabilitation than those who cannot find work" (Nuñez-Neto, 2008). Without income offenders are likely to commit another crime as a means of support (Burt, 2010). "Employment is one of the strongest predictors that an ex-offender will be successful after release and not backslide into crime" (Nuñez-Neto, 2008). If ex-offenders face continual rejection in the labor market, then they are more likely to give up looking for a job and turn to criminal activity to provide an income. Work release allows prisoners to engage in full-time or part-time employment in order to facilitate their re-entry into the labor market after release. Legislation could introduce partnerships between the states Department of Corrections and businesses to provide incentives for businesses to hire prisoners from work release programs post-release (Colgan, 2006). The federal government could also create temporary job programs for ex-prisoners (Burt, 2010).

**Drug** and alcohol **treatment programs** are a practical necessity that many affirmatives could advocate. "Nationally, at least 30 percent of convicted persons report they used illegal drugs at the time of their offense" (Colgan, 2006). Roughly 80% of prisoners report drug use in their history, even if not at the time of the crime (Colgan, 2006). Providing chemical dependency treatment programs would help a large segment of the prison population. The general population believes that putting an addict in prison eliminates their ability to access the substances of their addiction which cures the addiction, but after release without a treatment program many recovering addicts return to substance abuse (Kendrick, 2011). There is solid empirical evidence that ordering inmates into treatment programs and getting them to participate in treatment reduces recidivism (Kendrick, 2011).

**Health** services are a fundamental need in prisons. Health care costs are a huge issue for prison systems and when the state is completely responsible for footing the bill the quality of inmate care may suffer (Quinn, 2009). Inmate health care "is frequently so inadequate that "preventable suffering and death behind bars" has been "normalized" (Dolovich, 2009). There are facilities with four or five thousand prisoners and only three or four doctors and some physicians are limited to work in correctional facilities because they are not qualified to care for the general population (Gibbon & Katzenbach, 2006). Courts have held that inmates have the right to health care, but the quality of the care is still up for debate (Quinn, 2009). 30 states have some form of co-payments for health care required of inmates which discourages prisoners from seeking treatment (Quinn, 2009; Gibbon & Katzenbach, 2006). The Commission on Safety and Abuse in America's Prisons recommends co-pay laws be revoked and Medicaid and Medicare be extended to eligible prisoners (Gibbon & Katzenbach, 2006). Mental health services are desperately needed in prisons. The prevalence of mental illness in prisons is 2 to 4 times higher than that of the general public (Colgan, 2006). Many prisoners do not receive any treatment for mental illness. There is a lack of staffing, medication, and supervision for prisoners with mental illnesses. "The consequences of failing to provide mental health care include suffering, self-mutilation, rage and violence, unnecessary placement in segregation, victimization, and suicide" (Colgan, 2006). The lack of mental health care also poses a risk to inmates who are not ill because inmates with mental illness are more likely to cause disciplinary problems than other inmates. Another significant problem is the inability to reenter society; untreated mental illness makes it more difficult for inmates to become productive, law-abiding citizens (Kendrick, 2011). The most common treatment is segregation which mental health professional argue often worsens the illness (Colgan, 2006). Children **& family services** are an important part of successful rehabilitation. 1.5 million children have parents in the DOC (Colgan, 2006). There is significant evidence about the impact of prisons on family and social networks. Children are taken from parents when they are incarcerated and often there is no visitation once the children are removed. Family structures face intense strain when prisoners reenter the family (Lyles-Chockley, 2009). Parents strain to reconnect with their children and children can go through serious trauma as parents reenter their lives; neither have had a chance to build a relationship during incarceration (Lyles-Chockley, 2009). The racial disparities in incarceration rates have a devastating impact on communities practically dissolving important social networks, particularly in black families (Lyles-Chockley, 2009). There will be affirmatives providing services for prisoners to interact with their children (Colgan, 2006).

**The largest aff** on the topic **would be comprehensive transition**al service programs, which are all in one programs including education, job training and placement, life skills, family reunification services, assistance, chemical dependency treatment, and mental health services (Colgan, 2006). Several states (Tennessee, Hawaii, & New York) have comprehensive programs that could be modeled on a federal level (Colgan, 2006). Holistic reentry services provide for prisoners needs across the board instead of in small pieces. Comprehensive reentry programs recognize the linkages between jobs, education, and social services. "By starting a prisoner with a Plan which identifies all of his or her needs and addresses them holistically, the likelihood of success while in prison and upon release are improved" (Colgan, 2006). In general, access to social services which some are explicitly denied would help convicts overcome significant obstacles to reentry.

3. He violates the word “ought.” “Ought” can only refer to action, even when used in the context of “ought to be.” **Prichard 12** writes[[3]](#footnote-3)

But this argument, if it is to restore the sense of obligation to act, must presuppose an intermediate link, viz., the further thesis that what is good ought to be. The necessity of this link is obvious. An "ought," if it is to be derived at all, can only be derived from another "ought." Moreover this link tacitly presupposes another, viz., that the apprehension that something good which is not an action ought to be involves just the feeling of imperativeness or obligation which is to be aroused by the thought of the action which will originate it. Otherwise the argument will not lead us to feel the obligation to produce it by the action. And, surely, both this link and its implication are false.[1](http://www.ditext.com/prichard/mistake.html#1) **The word "ought" refers to actions and to actions alone.** The proper language is never "So and so ought to be," but "I ought to do so and so." **Even if we** are sometimes moved to **say** that the world or **something** in it **is not what it ought to be, what we really mean is that** God or **some human** being **has not made something what he [or she] ought to have made it.** And it is merely stating another side of this fact to urge that **we can only feel the imperativeness** upon us **of something which is in our power; for** it is **actions and actions alone** which, directly at least, **are in our power.**

4. Aff violates the word “value.” Value requires action in the context of criminal justice. **Emmons and Nutt 95** write[[4]](#footnote-4)

**Values express** preferable **goals or states. They offer standards** for selecting worthwhile behavior and provide criteria **for making policy.** Indeed, they represent what is most critically at stake for human well-being. **Values include moral standards** of right and wrong **but extend beyond** those standards **to encompass** broader considerations of **what is desirable** and undesirable. Privacy, freedom, equal opportunity, public order, honesty, free speech and other civil rights, rehabilitation, and community are all values. These and other **values find expression in criminal justice policy and practice** as society struggles to cope with crime, injustice, and disorder. The methods that may be brought to bear on discussing and processing wrong-doers are themselves questionable; this is the central dilemma of criminal justice, especially in the United States, where means are often valued as ends in themselves.

5. Aff violates criminal justice system. The CJS is a system of laws, not values.

**BJS no date** writes[[5]](#footnote-5)

**State constitutions and laws define the criminal justice system** within each State and delegate the authority and responsibility for criminal justice to various jurisdictions, officials, and institutions. State laws also define criminal behavior and groups of children or acts under jurisdiction of the juvenile courts. Municipalities and **counties further define their criminal justice systems through local ordinances** that proscribe the local agencies responsible for criminal justice processing that were not established by the State.

Second is Criminal Justice Education

90% of policymaking is deciding on implementation. **Elmore 80**[[6]](#footnote-6)

The emergence of implementation as a subject for policy analysis coincides closely with the discovery by **policy** analysts that **decisions are not self-executing.** Analysis of policy choices matter very little if the mechanism for implementing those choices is poorly understood in answering **the** question, "What **percentage of** the **work** of achieving a desired governmental action is **done when the preferred** analytic **alternative has been identified**?" Allison estimated that in the normal case, it **was about 10 percent, leaving the remaining 90 percent in the realm of implementation**.

No risk of a turn. Roleplaying as criminal justice policy-makers is the best method for values education. **Emmons and Nutt 95** write[[7]](#footnote-7)

**Values education can profit from** more structured alternatives to discussion. We especially recommend debates; virtually any important **criminal justice policy** or practice can be examined in **debate** format. Debate propositions are often framed as moral assertions. Contrast is often the route to identifying and refining values. Preparation for debate helps to ensure more rigorous scrutiny of issues than does more informal discussion. All of these features recommend debate for values education. "Moral negotiation," a technique described by Rosen and Caplan (1980), avoids the danger in debates of seeing opposing moral views as equally convincing or equally correct. **Role-playing** and simulations also give **[lets] students** opportunities to **explore the values and** try on the **moral views of criminal justice decision makers wrestling with concrete** problems and **policies**. A number of decision points in the criminal justice system lend themselves to in-class treatment, **including** the presentence hearing (recommendations for punishment), the police review board hearing (excessive use of force), a legislative committee hearing (a bill to reinstate the death penalty), the pre-trial hearing (rules of evidence), the criminal trial (the insanity plea, adversarial issues), and the parole hearing (**rehab**ilitation). MATERIALS **Values do not exist apart from action,** and normative ethics entail concrete moral choices. Because case studies treat discrete situations and specific problems for action, they are especially well suited for presenting this subject matter. **Case studies** offer other advantages as well: they **resemble the dilemmas** and choices that **students will face as professionals in criminal justice; they** tend to **fix students' attention and** to **stimulate participation more effectively; and** they play to **students**' tendency to **learn more easily when taught inductively** than deductively.

Discussing reentry policy is key to criminal justice education. **Swanson et al 10** writes[[8]](#footnote-8)

**Reentry is an important topic among policy-makers** in national government. It is generally defined as the use of programs, practices, and strategies targeted at promoting the successful reentry of prisoners back into the community Faced with significant numbers of newly released prisoners, including those convicted of serious crimes, the Bush administration created a Prison Reentry Initiative (Office of Justice Programs, U.S. Department of Justice, n.d.). Designed as a cooperative effort among several federal agencies, it funds state reentry programs. In addition, Bureau of Justice Assistance grants are awarded to state departments of corrections for developing prerelease services for prisoners transitioning back home. In April, 2008 President Bush also signed the Second Chance Act that creates an interagency council on reentry, provides additional funding for state programs, and authorizes direct grants to non-profit organizations for mentoring and other services for returning adult and juvenile offenders. The 2009 federal budget allocated $25,000,000 for reentry (Browning 2009). The Obama administration has budgeted $100,000,000 for these programs for 2010, a four-fold increase if appropriated (Browning 2009). **Reentry is of consequence for criminal justice education because every facet of the c**riminal **j**ustice **s**ystem, policing, courts, and corrections has contributed to the creation of this problem and **will be affected** by the large numbers of inmates returning from prison. Police will be faced with large numbers of prior offenders who are known to reoffend. The courts will have to deal with the increased work load produced by returning offenders, and ultimately the correctional system will face having to house large numbers of offenders who return to their already overcrowded facilities. Criminal justice education can play a significant role in helping society to come to grips with the legal, political, and public policy issues raised by reentry. **We are** currently **educating the next generation of criminal justice scholars** and practitioners **who will be called upon to provide** the data and **policy initiatives to deal with** the issues raised by **reentry.**

It is our belief that **reentry offers numerous opportunities for research and teaching. There will also be increased opportunities for** bachelor's educated practitioners to **work with the reentry population.** However, working with this population calls for specialized skills tailored to meet the needs of these offenders. Skills related to case management and increased **understanding of substance abuse,** mental illness, housing, **job training,** vocational training, **and education**al opportunities **will be required for** our **students** to take advantage of these opportunities. In addition, there is a need for theoretical understanding of the reentry process as well as knowledge of research methodologies that are helpful for understanding the problem. Legal issues and discretionary decision-making are also relevant to the success of reentry efforts. Will the curriculum in criminal justice education at all levels, but particularly at the undergraduate level, sufficiently prepare students for these new challenges brought about by reentry?

Empirics confirm. Reentry is the most important and least discussed form of criminal justice education. **Swanson et al 10** writes[[9]](#footnote-9)

In this research, **the authors utilize a survey** of members of a national criminal justice organization (Academy of Criminal Justice Sciences) in an effort **to gauge the coverage of reentry** issues **in criminal justice education.** The selection of reentry issues is based on the review of reentry literature. The survey is designed to assess the relative amount of time respondents devote to each topic in fractions of a 16-week semester. The survey was administered electronically through an email link to the instrument. The survey was sent to a total of 1,631 individuals. Thirty-seven were returned as undeliverable or as automated out- of-office replies and another 35 potential participants were bounced out of the survey by the program. A total of 408 respondents completed the survey out of the remaining 1,559 potential participants, resulting in a response rate of 26%. While this response rate is relatively low, web-based surveys commonly result in lower response rates than telephone or male surveys (Couper 2000; DiNitto et al. 2008; Tourangeau 2004). There are several explanations for the relatively low response rate. Recipients included criminal justice educators, practitioners, students, and others interested in criminal justice. The sampling frame does not provide for discerning which recipients teach classes in academic settings. Correspondence from numerous recipients indicates that many members of the national organization do not teach classes. Those individuals who indicated that they did not teach were asked not to complete the survey. In addition, the first two survey questions asked whether the respondent taught in a four- or two-year program, respectively. Only those respondents indicating that they taught in either a four- or two-year program were included in the analysis. Furthermore, the email message introducing the survey identifies its purpose as obtaining information about reentry issues. Return emails from recipients indicates that many of them did not participate because reentry is not their area of interest or expertise. While recipients who showed a reluctance to participate were encouraged to complete the survey, the authors believe that many recipients did not contribute because they felt their responses were not relevant to the research. Thus, it is likely that the results actually overestimate the treatment of reentry issues in criminal justice education due to the self- filtering of many recipients who do not cover such issues in their courses. Those who teach research methods, policing, and courts are possible examples Results Of the 408 respondents, 92.1% indicated that they taught in either a four- or two-year program (see Table 1). Since the focus of this analysis is on criminal justice education, only those respondents indicating that they taught were included in the analysis, resulting in 372 total cases for analysis. Due to the relatively small sample size, pairwise deletion was utilized to maximize the sample size for each analysis. The percentage of cases missing data ranged from 3.2% to 15.6% for the variables used in the analysis. While the missing data produce the potential for biased results, the authors feel that the data provide a solid baseline for this exploratory analysis. The overwhelming majority of respondents, 88.7%, teach in four-year programs. The mean number of majors in their programs is 429 students, with an average of nine faculty members in their departments and average class sizes of 34 students. There is a relatively even split between academic ranks for the respondents: 27.2% hold the rank of professor; 26.2% hold the rank of associate professor; and 32.5% hold the rank of assistant professor. The remaining 15% of respondents are either instructors or adjunct faculty. Nearly three-quarters of the respondents have a PhD, while just over 17% earned their highest degree at the master's level. For the majority of respondents, 55%, their highest degree is in criminal justice, criminology, or justice studies. Seventeen percent hold a degree in sociology, while 14.5% of respondents indicate "other" for their degree field. Open-ended responses indicate that the "other" category primarily includes education, public administration, and psychology. In addition, one-third of respondents designate employment experience in the corrections field. The majority of respondents teach courses in introductory criminal justice and corrections, **while a substantial percentage teach criminology,** policing, **theory, and research** methods courses. **Only 2%** of respondents report **teach**ing **a course on** prisoner **reentry**, while 4% teach a drug-related course. Thus, it appears that when reentry issues are addressed, they are largely covered in more general courses.

**Over 60%** of the respondents **reported that** offender **reentry is** a **very important** topic **in criminal justice education, while another 28% view the topic as important.** Table 2 provides the survey findings for the treatment of numerous reentry issues in criminal justice education. A majority of respondents address 13 of the 14 reentry issues listed. The most commonly covered topics are those involving drug and substance abuse, mental health, and the impact of prisoner reentry on communities with over three-quarters of respondents reporting that they provided some attention to these issues. The least addressed reentry topics are parenting, case management, literacy, and anger issues. Table 3 provides a breakdown of the amount of coverage of each reentry issue for only those respondents who reported they addressed the topics.2 While the previous table shows that a majority of respondents covered reentry issues, the findings in Table 3 indicate that the treatment of those issues with respect to time-frame is very limited. For each issue, **over two-thirds** of the respondents **report** that they provide the **minimum** amount of **coverage**, one to two weeks. Community impact, mental health, and victim issues are most likely to receive additional attention, with over one-third of respondents reporting at least three to four weeks of coverage in their courses.

In an effort to better understand the context under which reentry issues are taught in criminal justice education, a reentry scale was created which measures the overall coverage of all reentry issues. The scale had a range of 1.0 to 5.0, with 1.0 representing no coverage and 5.0 indicating maximum coverage. Means tests were utilized to determine the effects of courses taught, academic rank, and degree field of respondents on reentry coverage. Table 4 reports the findings of the means tests broken down by courses taught. The findings show that those teaching courses on reentry, drug issues, corrections, and theory generally provide the most coverage of reentry issues. There is a significant difference in the amount of attention provided to reentry issues among those who teach these courses and those who do not teach them. This finding is not surprising given the nature of these courses, although our discussion on the relevance of reentry to a variety of topics might provide useful examples of how reentry issues can be more broadly integrated into criminal justice curricula. Tables 5 and 6 display the findings from means tests examining the effects of academic rank and degree field, respectively, on the reentry scale. In most cases, no statistically significant differences were uncovered. However, there is a significant difference in the treatment of reentry subjects by instructors. It appears that instructors cover reentry issues to a greater extent than instructors of other ranks. Perhaps this finding emerges because instructors are more likely to have work experience in the field and are more acutely aware of the importance of reentry issues.3 It is also possible that instructors are more likely to teach courses in which reentry issues are deemed more relevant to the focus of the course. Future research should examine the forces behind this finding. Discussion and Implications The results of the survey provide a positive picture with regard to reentry issues in criminal justice education, yet also indicate several areas for improvement.

Table 6 Comparison of mean level of coverage of reentry issues by degree field

Degree field

CJ/Criminology Other Significance

1.93 1.87 .454

Sociology Other

1.82 1.92 .335

Social work Other

1.81 1.90 .850

Political science Other

1.73 1.91 .245

Law Other

1.61 1.92 .061

The upside is that it appears that reentry issues are being addressed in criminal justice education. Students are exposed to many of the important reentry issues primarily in courses on corrections, drug abuse, and in those few courses offered specifically addressing prisoner reentry. But teachers also address reentry subjects broadly in other courses, often classified as core subjects. Nevertheless, given the implications of the vast numbers of offenders who will be returning to society as a result of decades of punitive crime policies, prisoner reentry arguably could assume greater prominence and more wide- spread coverage in criminal justice education. **While** the findings reported here indicate that **reentry issues are addressed, depth and breadth** of coverage **appear**s to be **lacking** as measured by the amount of time devoted to the subject and the variety of courses in which reentry is addressed. As indicated in Table 4, respondents teaching courses in policing, courts, research and statistics, and introductory criminal justice and criminology are less likely to cover reentry issues. As noted earlier, it can be argued that **the impact of reentry** issues **on all aspects of** the **criminal justice** system **points to a need to cover the topic** in courses in which reentry can be thought of as relevant. Our contention is that reentry is relevant to these courses. The central question, it seems, is this: Is criminal justice education adequately preparing students to address the needs of contemporary criminal justice in practice?

Criminal justice education is a voter. **Nielson 11** writes[[10]](#footnote-10)

Second, **if a large percent**age **of debaters enter** into **law** school, **political science, or social justice** work post their undergraduate studies, **then the prison topic would be valuable** as practical **research for** their **future studies. Debate skills, such as research**, listening, public speaking, personal expression, problem-solving skills, **are highly transferable** in these areas of graduate study. We are all familiar with research indicating **70% of judges recommend** participation in **intercollegiate debate as a precursor to law school** (Freely & Steinberg, 2009). **Debaters** themselves **list law school prep**aration **as one** of the **advantage**s **of** intercollegiate **debate** (Williams, McGee & Worth, 2001). You aren't likely go to law school and skip over a discussion of the penal system. **The debate community has an opportunity to prepare** our undergraduates **for** work in **a field they are most likely to go into.**

Philosophy focus is bad. It has no real world impact and trades off with topic-specific education. **Lawrence 12** writes[[11]](#footnote-11)

The most obvious benefit of embracing AEC is that we get to avoid the same deontology vs. utilitarianism vs. contractualism debate that populates almost every LD round. To some, this may seem like a disadvantage rather than a benefit, but consider the following. **First, the ethics debate has been going on for several hundred years and has not** come even close to **be[en]**ing **resolved. To think that** the **discussion** that happens **in a** 45 minute **debate has any educational value on an issue that is so** deep, nuanced, and **irresolvable is delusional. Any education**to be derived **from this issue is best accessed by** just **reading articles.**To call the dilapidated ethical discussions that currently occur in most LD rounds “good debate” is a giant misnomer. **Second, the ethics debate trades off with** a discussion of **the resolution. Since debaters have** a **limited** window of **opportunity to debate the topic, we should prefer topic-specific discussions** over generic ethics. Squads should not be able to run the same argument(s) for five years on the negative in LD instead of making new arguments on each resolution. What is more, if debate is supposed to educate its participants to become better-informed citizens and critical thinkers. An ivory tower discussion of meta-ethics has little practical value[.] for high school debaters moving forward into college and beyond.

D. Drop the debater

1. The NC was skewed. I can’t redo it after the 1AR shifts.

2. Key to deterrence. Drop the arg means aff will run abusive cases for the timeskew.

3. Jurisdiction. Can’t vote for a nontopical plan.

Prefer competing interpretations because reasonability is arbitrary and invites judge intervention.

## NR Overview

Prefer evidence to analytics on the theory debate. Two reasons:

1. My authors are experts in the field and therefore more qualified to objectively evaluate questions of field context or educational value.

2. Debaters are biased in favor of making overstatements like “infinite ground loss” in hopes that it gets dropped. These claims should carry no weight in the face of expert opinion because they just reflect debaters’ incentive to win.

# Frontlines

## AT AFC

1. This is functionally reasonability. No brightline for how abusive aff can be.

2. Doesn’t apply at the TOC. You’ve had 5 months to find a good aff.

3. Kills clash. Affs will try to find the most abusive plan they can get away with.

4. No uniqueness – if I don’t have prep, there’s no educational value to engaging the aff anyway.

## AT CX Checks

1. Doesn’t solve **pre-round** prep which is the internal link to my offense.

2. It’s not predictable. I don’t know what you’ll concede to before the round.

3. Most of my strategic decisions happen during the AC and cross-ex. Shifting during CX kills 9 out of my 14 minutes of prep.

4. Obviously he wouldn’t have conceded to defend a new 1AR plan that he has no evidence for. Checking would be pointless.

5. Causes prep skew. I’m forced to tell him what shell I’m going for, so he can use my prep-time against me.

6. No reason why avoiding theory is good. Substance was already skewed by the AC. We couldn’t have had topic education anyway.

## AT Resolved Counter-Definition

1. Prefer Words and Phrases 64. It’s a legal dictionary, so it’s most applicable to the topic.

2. My definition makes most sense in the context of a debate round. **Parcher 1** writes[[12]](#footnote-12)

(1) Pardon me if I turn to a source besides Bill. American Heritage Dictionary: Resolve: 1. To make a firm decision about. 2. To decide or express by formal vote. 3. To separate something into constituent parts See Syns at \*analyze\* (emphasis in original) 4. Find a solution to. See Syns at \*Solve\* (emphasis in original) 5. To dispel: resolve a doubt. - n 1. Firmness of purpose; resolution. 2. A determination or decision. (2) The very nature of the word **"resolution”** makes it a question. American Heritage: **A course of action** determined or decided on. A formal statement of a decision, as by a legislature. (3) The resolution is obviously a question. **Any other conclusion is utterly inconceivable. Why? Context.** The debate community empowers a topic committee to write a topic for ALTERNATE side debating. The committee is not a random group of people coming together to "reserve" themselves about some issue. There is context - they are empowered by a community to do something. In their deliberations, the topic community attempts to craft a resolution which can be ANSWERED in either direction. They focus on issues like ground and fairness because they know the resolution will serve as the basis for debate which will be resolved by determining the policy desirability of that resolution. That's not only what they do, but it's what we REQUIRE them to do. We don't just send the topic committee somewhere to adopt their own group resolution. It's not the end point of a resolution adopted by a body - it's the preliminary wording of a resolution sent to others to be answered or decided upon. (4) Further context: the word resolved is used to emphasis the fact that it's policy debate. **Resolved comes from** the adoption of **resolutions by legislative bodies**. A resolution is either adopted or it is not. It's a question before a legislative body. Should this statement be adopted or -not. (5) **The very terms 'affirmative' and 'negative' support my view**. One affirms a resolution. **Aff**irmative **and neg**ative **are the equivalents of 'yes' or 'no'** - which. of course. are answers to a question.

## AT We’re Not Policymakers

1. That’s irrelevant. My voter is about criminal justice education.

2. Extend Nielsen 11. A huge percent of debaters go into law where CJS policy research is valuable.

3. TURN – extend Emmons and Nutt 95. CJS policy is key to values education. Students learn best with concrete scenarios.

4. TURN – the fact that we’re not all policymakers supercharges my argument. Debate is the only chance many students will have to get policy-making experience which is key to critical thinking and values education. **Keller 1** writes[[13]](#footnote-13)

Experiential learning, in the form of the practicum placement, is a key element in social work education. However, few social work students enroll in political or policy oriented practicum. In a survey of 161 CSWE-accredited programs (131 BSW, 30 MSW), Wolk and colleagues (1996) found that less than half offered practice in government relations (BSW=20%, MSW=47%) and even fewer had placements in policy advocacy/development (BSW=15%, MSW=33%). Moreover, programs typically reported only one or two students participating in these types of placements, with the largest representation at a single school being 9 out of 250 MSW students (Wolk et al., 1996). **Because few students receive policy**-related field **education, introducing students to policy** relevant **skills** and experiences via active learning exercises in the classroom **assumes greater importance**. Bonwell and Eison (1991) describe the general characteristics of active learning in the classroom: Students are involved in more than listening. Less emphasis is placed on transmitting information and more on developing students' skills. Students are involved in higher-order thinking (analysis, synthesis, evaluation). Students are engaged in activities. Greater emphasis is placed on students' exploration of their own attitudes and values. (p. 2) **Experiential learning** in the classroom **may involve** case studies, role plays, **debates**, simulations, or other activities **that allow students to make connections among theory, knowledge, and experience** (Lewis & Williams, 1994). **These** active learning strategies **encourage students to** think on their feet, to **question their** own **values** and responses to situations, **and** to **consider new ways of thinking** in contexts which they may experience more intensely and, consequently, may remember longer (Meyers & Jones, 1993).

**Education Outweighs Fairness**

Education comes first:

(a) fairness only matters until you sign your ballot. Education has out of round impacts.

(b) Education is more quantifiable whereas fairness is subjective.

(c) Complete fairness is impossible. Side bias and resource disparities are inevitable.

(d) If you want fairness, play a board game.

**Side Bias Overview**

Err neg on theory. Aff won 6% more rounds at Sunvite which proves that this topic has an aff bias. Also, aff speaks first and last and has infinite prep time which outweighs any time skew.

**AT Reciprocity**

1. My interpretation is completely reciprocal. Both sides defend comparative offense to an advocacy and weigh.

2. Aff doesn’t have to win multiple levels. He can concede the top level and turn it.

3. Turn – aff interpretation is unreciprocal. I can’t turn the aff because the aff definition forces me to defend only backwards-looking offense for retribution.

4. Even if the aff interp is quantitatively reciprocal, his ground is qualitatively far better. Rehab has much better philosophical grounding than retribution. The best objections are about implementation.

5. No impact in context. I would have just conceded util.

**AT Aff Key to Textuality**

Util isn’t textual aff ground. Retribution can be reconciled with util. It’s a pragmatic question. **Rawls 55**[[14]](#footnote-14)

On the other hand **we have** the institution of **punishment** itself, and recommend and accept various changes to it, **because it is thought by the** (ideal) **legislator** and by those to whom the law applies **that**, as a part of a system of law impartially applied from case to case arising under it, **it will have the consequence**, in the long run, **of furthering** the **interests of society.** One can say, then, that the judge and the legislator stand in different positions and look in different directions: one to the past, one to the future. The justification of **what the judge does**, *qua* judge, **sounds** like the **retributive** view**;** the justification of **what the legislator does**, *qua legislator*, **sounds** like the **utilitarian** view. Thus both views have a point (this is as it should be since intelligent and sensitive persons have been on both sides of the argument); and one’s initial confusion disappears once one sees that these views apply to persons holding different offices with different duties, and situated differently with respect to the system of rules that make up the criminal law. One might say, however, that **the utilitarian view is more fundamental since** it applies to a more fundamental office, for **the judge carries out the legislator’s will** so far as he can determine it. Once the legislator decides to have laws and to assign penalties for their violation (as things are there must be both the law and the penalty) an institution is set up which involves a retributive conception of particular cases. It is part of the concept of the criminal law as a system of rules that the application and enforcement of these rules in particular cases should be justifiable by arguments of a retributive character. The decision whether or not to use law rather than some other mechanism of social control, as the decision as to what laws to have and what penalties to assign, may be settled by utilitarian arguments; but if one decides to have laws then one has decided on something whose working in particular cases is retributive in form.

## RVI Answers

### RVIs under certain conditions

Aff only gets RVIs if they concede the violation, the voter, and that theory is evaluated through competing interps. 4 reasons.

1. It’s key to reciprocity because I meets, reject the arg, and reasonability make RVIs a nib for the aff which gives the aff a 4 to 1 advantage on theory.

2. Only offense to a counter-interp can trigger an RVI. If the aff doesn’t win that my interp is worse for debate, then it makes no sense to vote aff to deter it.

3. If the aff is going all in on theory with an RVI, they already have a reciprocal source of offense, so I meets and reasonability aren’t key.

4. Double-bind. If the I meet or reject the arg is false, the aff doesn’t need them. If the I meet or reject the arg is true, aff doesn’t need the RVI.

### No RVIs

Omitted.

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14. John Rawls. “Two Concepts of Rules,” *The Philosophical Review* 64 (1955): 3-32. http://filosofia.dafist.unige.it/dot/filosofiaXXI/rawls.pdf [↑](#footnote-ref-14)